

REMARKS/ARGUMENTS

The claims are 1-7, 9-13, and 15-16. Claims 8 and 14, which the Examiner indicated contained allowable subject matter, have been rewritten in independent claim form as new claims 15 and 16. Claim 1 has been amended to better define the invention. Support for the claims may be found inter alia in the disclosure at page 8, lines 19-22, page 10, lines 6-10, and FIGS. 1-3. Reconsideration is expressly requested.

Claims 1, 2, 6, 7 and 11 were rejected under U.S.C. §102(b) as being anticipated by Moe U.S. Design Patent No. DES 249,225. The remaining claims, except for claims 8 and 14, which the Examiner indicated contained allowable subject matter, have been rejected as obvious over Moe alone (claims 9, 10 and 12) or in view of Allen U.S. Patent No. 1,989,257 (claims 3, 4, 10 and 13).

Essentially, the Examiners position was that Moe shows the jamb bracket recited in the rejected claims except for the securing segment which is said to be taught by Allen and except for a countersunk screw hole, the specific size of the arm, the specific size of the securing element and the three snap-off grooves disposed on each of the top and bottom portions of the basal element, which were considered within the skill of the art.

This rejection is respectfully traversed.

As set forth in claim 1 as amended, applicants invention provides a jamb bracket for a door closing system including at least one arm structure extending out from the middle of the jamb bracket, a connecting segment uniting the top and bottom portions of the at least one arm structure at a location between the attached and unattached ends, and a basal element extending perpendicularly outward above and below the attached end of the at least one arm structure at least along the line of intersection between the basal element and the at least one arm structure. As shown in FIGS. 2 and 3, the connecting segment runs along a portion of the length of the arm structure and as shown in FIGS. 1-3 the basal element extends above and below the arm bracket along the line of intersection between the basal element and the at least one arm structure. This arrangement provides structural stability to the jamb bracket so that it is able to withstand forces and pressures generated by the functioning door closing system onto the jamb bracket.

None of the cited references discloses the structure recited in applicants claim 1 or provides a bracket with the benefits resulting from that structure. The Moe patent shows a bracket that will readily twist and has no structural stability. In Moe's bracket, the arms are punched out of a plate, leaving an open space in the basal element along the line of intersection

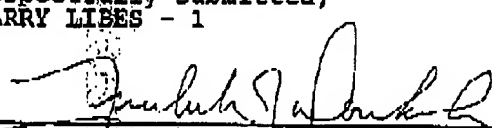
between the basal element and the arm structure. In addition, the "connecting segment" identified by the Examiner is at the attached end of the arm structure and provides little or no structural stability.

The defects and deficiencies of Moe are nowhere remedied by the secondary reference to Allen. Allen shows a drapery bracket used to hang lightweight curtains, not a bracket for a door closing system. In any event, like Moe there is no disclosure or suggestion of a jamb bracket in which a connecting segment unites top and bottom portions of at least one arm structure at a location between the attached and unattached ends, or a basal element extending perpendicularly outward above and below the attached end of the arm structure at least along the line of intersection between the basal element and the at least one arm structure. Accordingly, applicant respectfully submits that claim 1 as amended, and claims 2-7 and 9-13 which depend on claim 1 are therefore patentable, along with new claims 15 and 16 which the Examiner has previously indicated contain allowable subject matter.

In summary, claim 1 has been amended, claims 8 and 14 have been canceled, and new claims 15-16 have been added. In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

Respectfully submitted,  
BARRY LIBES - 1

COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802  
RJH:djp/jc

  
Milton C. Collard, Reg.No.22,532  
Edward H. Freedman, Reg.No.26,048  
Frederick J. Dorchak, Reg.No.29,298  
Attorneys for Applicant

**CERTIFICATE OF FACSIMILE TRANSMISSION**

Fax No. 703-872-9326

I hereby certify that this correspondence is being sent by facsimile-transmission to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 22, 2003.

  
Frederick J. Dorchak